

IN THE SUPERIOR COURT FOR THE DISTRICT OF COLUMBIA

Civil Division FILED

CIVIL ACTIONS BRANCH

APR 26 2013

Superior Court of the
District of Columbia
Washington, D.C.

KATHRYN M. CAMPBELL
1207 Hamilton Street, NW
Washington, D.C. 20011

Plaintiff,

v.

MARK POLITZER; General Manager
Bourlon Steak; Four Seasons Hotel
2800 Pennsylvania Avenue, NW
Washington, D.C. 20007

and

MINA GROUP, LLC
t/a Bourbon Steak
335 Powell Street, 3th Floor
San Francisco, CA 94102

Serve: CT Corporation System
1025 Vermont Avenue, NW
Washington, DC 20005

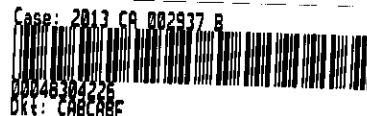
Defendants.

Civil Action No. **13 - 0002937**

COMPLAINT

COMES NOW the Plaintiff, Kathryn M. Campbell, by and through counsel, Patrick J. Christmas and Associates, P.C., and hereby sues the Defendants Mark Politzer and Mina Group, LLC and for cause of action states:

1. This Honorable Court has jurisdiction over the matter complained of herein pursuant to the District of Columbia Code, Section 11-921. Plaintiff invokes the jurisdiction of this Court as the cause of action arose in the District of Columbia.



2. On or about April 26, 2010, at approximately 8:00 p.m., Plaintiff and other patrons were seated in the Bourbon Steak Restaurant located within the Four Seasons Hotel at 2800 Pennsylvania Avenue, NW, in Washington, D.C. As Plaintiff was seated she was improperly physically and emotionally abused and embarrassed by Mark Politzer, acting individually and as General Manager of the Bourbon Steak Restaurant. The Bourbon Steak Restaurant is owned/managed by Defendant Mina Group, LLC.

3. Specifically, the Plaintiff and others were called "prostitutes"; "ladies of the night, etc. and were forcibly escorted off the premises.

4. Defendants were at all times relevant to this action, the owner, employees and/or the management company of the aforementioned premises. As such, Defendants owed a duty to the public, including Plaintiff, to maintain the premises in such a condition as would assure their safety; to protect its lawful patrons from physical and/or emotional and harmful actions from its employees and/or other individuals within its premises.

5. The aforementioned misconduct was the direct and proximate result of the negligence of Defendants as described herein, without any negligence and/or or conduct on the part of Plaintiff contributing thereto.

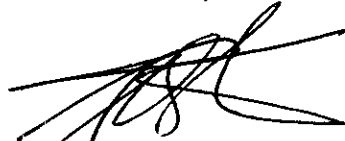
6. As a direct and proximate result of Defendants above-referenced negligence and/or conduct, Plaintiff:

- a. has incurred outstanding medical expenses, loss of income and wages, and associated expenses, and will continue to suffer additional medical expenses, lost income, and associated expenses;
- b. has suffered and will suffer great pain, anguish, discomfort and personal hardship, and has been and will continue to be unable to conduct her normal social, spiritual and recreational activities as before said fall, all to her damage in the amount of one hundred thousand dollars (\$100,000.00).

WHEREFORE, these premises considered, Plaintiff demands judgment jointly and severally against Defendants Mark Politzer and Mina Group, LLC, in the sum of ONE HUNDRED THOUSAND DOLLARS (\$100,000.00), plus interest and the costs of this action and such other and further relief as this Court may deem just and proper.

Respectfully submitted,

**PATRICK J. CHRISTMAS
& ASSOCIATES, P.C.**

A handwritten signature in black ink, appearing to be 'Patrick J. Christmas', written over a horizontal line.

Patrick J. Christmas, #85985
8401 Colesville Road, Suite 610
Silver Spring, Maryland 20910
(301) 589-3009
Counsel for Plaintiff



KATHRYN M. CAMPBELL
1207 Hamilton Street, NW
Washington, D.C. 20011

Plaintiff

vs.
MINA GROUP, LLC., ET LA.
Serve: CT Corporation System
1025 Vermont Avenue, NW
Washington, D.C. 20005 Defendant s

Case Number 13-000293

SUMMONS

To the above named Defendant:

You are hereby summoned and required to serve an Answer to the attached Complaint, either personally or through an attorney, within twenty (20) days after service of this summons upon you, exclusive of the day of service. If you are being sued as an officer or agency of the United States Government or the District of Columbia Government, you have sixty (60) days after service of this summons to serve your Answer. A copy of the Answer must be mailed to the attorney for the party plaintiff who is suing you. The attorney's name and address appear below. If plaintiff has no attorney, a copy of the Answer must be mailed to the plaintiff at the address stated on this Summons.

You are also required to file the original Answer with the Court in Suite 5000 at 500 Indiana Avenue, N.W., between 8:30 a.m. and 5:00 p.m., Mondays through Fridays or between 9:00 a.m. and 12:00 noon on Saturdays. You may file the original Answer with the Court either before you serve a copy of the Answer on the plaintiff or within five (5) days after you have served the plaintiff. If you fail to file an Answer, judgment by default may be entered against you for the relief demanded in the complaint.

Patrick J. Christmas, Esquire

Clerk of the Court

Name of Plaintiff's Attorney

8401 Colesville Road, Suite 610

Address

Silver Spring, Maryland 20910

(301) 589-3009

Telephone

如需翻译, 请打电话 (202) 879-4828

Veuillez appeler au (202) 879-4828 pour une traduction

Để có một bản dịch, hãy gọi (202) 879-4828

번역을 원하시면, (202) 879-4828 로 전화하십시오 የአግርኛ ትርጉም ለማግኘት (202) 879-4828 ይደውሉ

By

[Signature]

Deputy Clerk

Date

04/26/2013

IMPORTANT: IF YOU FAIL TO FILE AN ANSWER WITHIN THE TIME STATED ABOVE, OR IF, AFTER YOU ANSWER, YOU FAIL TO APPEAR AT ANY TIME THE COURT NOTIFIES YOU TO DO SO, A JUDGMENT BY DEFAULT MAY BE ENTERED AGAINST YOU FOR THE MONEY DAMAGES OR OTHER RELIEF DEMANDED IN THE COMPLAINT. IF THIS OCCURS, YOUR WAGES MAY BE ATTACHED OR WITHHELD OR PERSONAL PROPERTY OR REAL ESTATE YOU OWN MAY BE TAKEN AND SOLD TO PAY THE JUDGMENT. IF YOU INTEND TO OPPOSE THIS ACTION, DO NOT FAIL TO ANSWER WITHIN THE REQUIRED TIME.

If you wish to talk to a lawyer and feel that you cannot afford to pay a fee to a lawyer, promptly contact one of the offices of the Legal Aid Society (202-628-1161) or the Neighborhood Legal Services (202-682-2700) for help or come to Suite 5000 at 500 Indiana Avenue, N.W., for more information concerning places where you may ask for such help:

See reverse side for Spanish translation
Vea al dorso la traducción al español

KATHRYN M. CAMPBELL
1207 Hamilton Street, NW
Washington, D.C. 20011

Plaintiff

13-0002937

vs.

Case Number

MARK POLITZER: General Manager, et al.
Bourlon Steak: Four Seasons Hotel
2800 Pennsylvania Avenue, NW
Washington, D.C. 20007

Defendant S

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Patrick J. Christmas, Esquire

Name of Plaintiff's Attorney

Clerk of the Court

401 Colesville Road, Suite 610
Address
Silver Spring, Maryland 20910

By

Deputy Clerk

301) 589-3009

Telephone

Date

04/26/2013

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Vea al dorso la traducción al español

Superior Court of the District of Columbia

CIVIL DIVISION - CIVIL ACTIONS BRANCH

INFORMATION SHEET

Kathryn M. Campbell

Case Number: **13 - 0002937**

vs

Date: _____

Mark Politzer and Mina Group, LLC

| | | |
|---|---|---|
| Name: (please print) Patrick J. Christams, Esquire | | Relationship to Lawsuit <input checked="" type="checkbox"/> Attorney for Plaintiff <input type="checkbox"/> Self (Pro Se) Other: _____ |
| Firm Name: Patrick J. Christmas & Associates, P.C. | | |
| Telephone No.: (301)589-3009 | Six digit Unified Bar No.: 85985 | |

TYPE OF CASE: ☒ Non-Jury ☐ 6 Person Jury ☐ 12 Person Jury
Demand: \$ 100,000.00 Other: _____

PENDING CASE(S) RELATED TO THE ACTION BEING FILED

Case No.: _____ Judge: _____ Calendar #: _____

Case No.: _____ Judge: _____ Calendar #: _____

NATURE OF SUIT: (Check One Box Only)

A. CONTRACTS

- | | |
|---|---|
| <input type="checkbox"/> 01 Breach of Contract | <input type="checkbox"/> 07 Personal Property |
| <input type="checkbox"/> 02 Breach of Warranty | <input type="checkbox"/> 09 Real Property-Real Estate |
| <input type="checkbox"/> 06 Negotiable Instrument | <input type="checkbox"/> 12 Specific Performance |
| <input type="checkbox"/> 15 _____ | |

COLLECTION CASES

- | |
|---|
| <input type="checkbox"/> 14 Under \$25,000 Pltf. Grants Consent |
| <input type="checkbox"/> 16 Under \$25,000 Consent Denied |
| <input type="checkbox"/> 17 OVER \$25,000 |

B. PROPERTY TORTS

- | | | |
|--|---|--|
| <input type="checkbox"/> 01 Automobile | <input type="checkbox"/> 03 Destruction of Private Property | <input type="checkbox"/> 05 Trespass |
| <input type="checkbox"/> 02 Conversion | <input type="checkbox"/> 04 Property Damage | <input type="checkbox"/> 06 Traffic Adjudication |
| <input type="checkbox"/> 07 Shoplifting, D.C. Code § 27-102(a) | | |

C. PERSONAL TORTS

- | | | |
|--|--|---|
| <input type="checkbox"/> 01 Abuse of Process | <input type="checkbox"/> 09 Harassment | <input type="checkbox"/> 17 Personal Injury – (Not Automobile, Not Malpractice) |
| <input type="checkbox"/> 02 Alienation of Affection | <input type="checkbox"/> 10 Invasion of Privacy | <input type="checkbox"/> 18 Wrongful Death (Not malpractice) |
| <input checked="" type="checkbox"/> 03 Assault and Battery | <input type="checkbox"/> 11 Libel and Slander | <input type="checkbox"/> 19 Wrongful Eviction |
| <input type="checkbox"/> 04 Automobile-Personal Injury | <input type="checkbox"/> 12 Malicious Interference | <input type="checkbox"/> 20 Friendly Suit |
| <input type="checkbox"/> 05 Deceit (Misrepresentation) | <input type="checkbox"/> 13 Malicious Prosecution | <input type="checkbox"/> 21 Asbestos |
| <input type="checkbox"/> 06 False Accusation | <input type="checkbox"/> 14 Malpractice Legal | <input type="checkbox"/> 22 Toxic/Mass Torts |
| <input type="checkbox"/> 07 False Arrest | <input type="checkbox"/> 15 Malpractice Medical (Including wrongful death) | <input type="checkbox"/> 23 Tobacco |
| <input type="checkbox"/> 08 Fraud | <input type="checkbox"/> 16 Negligence-(Not Automobile, Not Malpractice) | |

SEE REVERSE SIDE AND CHECK HERE ☐ IF USED

INFORMATION SHEET, Continued

| | | |
|---|---|--|
| D. OTHERS I. <input type="checkbox"/> 01 Accounting <input type="checkbox"/> 02 Att. Before Judgment <input type="checkbox"/> 04 Condemnation (Emin. Domain) <input type="checkbox"/> 05 Ejectment <input type="checkbox"/> 07 Insurance/Subrogation Under \$25,000 Pltf. Grants Consent <input type="checkbox"/> 08 Quite Title <input type="checkbox"/> 09 Special Writ/Warrants DC Code § 11 -941 | <input type="checkbox"/> 10 T.R.O./Injunction <input type="checkbox"/> 11 Writ of Replevin <input type="checkbox"/> 12 Enforce Mechanics Lien <input type="checkbox"/> 16 Declaratory Judgment <input type="checkbox"/> 17 Merit Personnel Act (OEA) (D.C. Code Title 1, Chapter 6) <input type="checkbox"/> 18 Product Liability <input type="checkbox"/> 24 Application to Confirm, Modify, Vacate Arbitration Award (D.C. Code § 16-4315) | <input type="checkbox"/> 25 Liens: Tax/Water Consent Granted <input type="checkbox"/> 26 Insurance/Subrogation Under \$25,000 Consent Denied <input type="checkbox"/> 27 Insurance/Subrogation Over \$25,000 <input type="checkbox"/> 28 Motion to Confirm Arbitration Award (Collection Cases Only) <input type="checkbox"/> 29 Merit Personnel Act (OHR) <input type="checkbox"/> 30 Liens: Tax/Water Consent Denied |
| II. <input type="checkbox"/> 03 Change of Name <input type="checkbox"/> 06 Foreign Judgment <input type="checkbox"/> 13 Correction of Birth Certificate <input type="checkbox"/> 14 Correction of Marriage Certificate | <input type="checkbox"/> 15 Libel of Information <input type="checkbox"/> 19 Enter Administrative Order as Judgment [D.C. Code § 2 -1802.03(h) or 32-1519(a)] <input type="checkbox"/> 20 Master Meter (D.C. Code § 42 -3301, et seq.) | <input type="checkbox"/> 21 Petition for Subpoena [Rule 28 -I (b)] <input type="checkbox"/> 22 Release Mechanics Lien <input type="checkbox"/> 23 Rule 27 (a)(1) (Perpetuate Testimony) |



 Attorney's Signature

4/25/13

 Date



**SUPERIOR COURT OF THE DISTRICT OF COLUMBIA
CIVIL DIVISION**

KATHRYN M. CAMPBELL
Vs.
MARK POLITZER

C.A. No. 2013 CA 002937 B

INITIAL ORDER AND ADDENDUM

Pursuant to D.C. Code § 11-906 and District of Columbia Superior Court Rule of Civil Procedure ("SCR Civ") 40-I, it is hereby **ORDERED** as follows:

(1) Effective this date, this case has assigned to the individual calendar designated below. All future filings in this case shall bear the calendar number and the judge's name beneath the case number in the caption. On filing any motion or paper related thereto, one copy (for the judge) must be delivered to the Clerk along with the original.

(2) Within 60 days of the filing of the complaint, plaintiff must file proof of serving on each defendant: copies of the Summons, the Complaint, and this Initial Order. As to any defendant for whom such proof of service has not been filed, the Complaint will be dismissed without prejudice for want of prosecution unless the time for serving the defendant has been extended as provided in SCR Civ 4(m).

(3) Within 20 days of service as described above, except as otherwise noted in SCR Civ 12, each defendant must respond to the Complaint by filing an Answer or other responsive pleading. As to the defendant who has failed to respond, a default and judgment will be entered unless the time to respond has been extended as provided in SCR Civ 55(a).

(4) At the time and place noted below, all counsel and unrepresented parties shall appear before the assigned judge at an Initial Scheduling and Settlement Conference to discuss the possibilities of settlement and to establish a schedule for the completion of all proceedings, including, normally, either mediation, case evaluation, or arbitration. Counsel shall discuss with their clients **prior** to the conference whether the clients are agreeable to binding or non-binding arbitration. **This order is the only notice that parties and counsel will receive concerning this Conference.**

(5) Upon advice that the date noted below is inconvenient for any party or counsel, the Quality Review Branch (202) 879-1750 may continue the Conference **once**, with the consent of all parties, to either of the two succeeding Fridays. Request must be made not less than six business days before the scheduling conference date. No other continuance of the conference will be granted except upon motion for good cause shown.

(6) Parties are responsible for obtaining and complying with all requirements of the General Order for Civil cases, each Judge's Supplement to the General Order and the General Mediation Order. Copies of these orders are available in the Courtroom and on the Court's website <http://www.dccourts.gov/>.

Chief Judge Lee F. Satterfield

Case Assigned to: Judge MICHAEL L RANKIN
Date: April 26, 2013
Initial Conference: 9:30 am, Friday, July 26, 2013
Location: Courtroom 517
500 Indiana Avenue N.W.
WASHINGTON, DC 20001

Caio.doc

ADDENDUM TO INITIAL ORDER AFFECTING ALL MEDICAL MALPRACTICE CASES

In accordance with the Medical Malpractice Proceedings Act of 2006, D.C. Code § 16-2801, et seq. (2007 Winter Supp.), "[a]fter an action is filed in the court against a healthcare provider alleging medical malpractice, the court shall require the parties to enter into mediation, without discovery or, if all parties agree[,] with only limited discovery that will not interfere with the completion of mediation within 30 days of the Initial Scheduling and Settlement Conference ("ISSC"), prior to any further litigation in an effort to reach a settlement agreement. The early mediation schedule shall be included in the Scheduling Order following the ISSC. Unless all parties agree, the stay of discovery shall not be more than 30 days after the ISSC." D.C. Code § 16-2821.

To ensure compliance with this legislation, on or before the date of the ISSC, the Court will notify all attorneys and *pro se* parties of the date and time of the early mediation session and the name of the assigned mediator. Information about the early mediation date also is available over the internet at <https://www.dccourts.gov/pa/>. To facilitate this process, all counsel and *pro se* parties in every medical malpractice case are required to confer, jointly complete and sign an EARLY MEDIATION FORM, which must be filed no later than ten (10) calendar days prior to the ISSC. Two separate Early Mediation Forms are available. Both forms may be obtained at www.dccourts.gov/medmalmediation. One form is to be used for early mediation with a mediator from the multi-door medical malpractice mediator roster; the second form is to be used for early mediation with a private mediator. Both forms also are available in the Multi-Door Dispute Resolution Office, Suite 105, 515 5th Street, N.W. (enter at Police Memorial Plaza entrance). Plaintiff's counsel is responsible for eFiling the form and is required to e-mail a courtesy copy to earlymedmal@dsc.gov. *Pro se* Plaintiffs who elect not to eFile may file by hand in the Multi-Door Dispute Resolution Office.

A roster of medical malpractice mediators available through the Court's Multi-Door Dispute Resolution Division, with biographical information about each mediator, can be found at www.dccourts.gov/medmalmediation/mediatorprofiles. All individuals on the roster are judges or lawyers with at least 10 years of significant experience in medical malpractice litigation. D.C. Code § 16-2823(a). If the parties cannot agree on a mediator, the Court will appoint one. D.C. Code § 16-2823(b).

The following persons are required by statute to attend personally the Early Mediation Conference: (1) all parties; (2) for parties that are not individuals, a representative with settlement authority; (3) in cases involving an insurance company, a representative of the company with settlement authority; and (4) attorneys representing each party with primary responsibility for the case. D.C. Code § 16-2824.

No later than ten (10) days after the early mediation session has terminated, Plaintiff must eFile with the Court a report prepared by the mediator, including a private mediator, regarding: (1) attendance; (2) whether a settlement was reached; or, (3) if a settlement was not reached, any agreements to narrow the scope of the dispute, limit discovery, facilitate future settlement, hold another mediation session, or otherwise reduce the cost and time of trial preparation. D.C. Code § 16-2826. Any Plaintiff who is *pro se* may elect to file the report by hand with the Civil Clerk's Office. The forms to be used for early mediation reports are available at www.dccourts.gov/medmalmediation.

Chief Judge Lee F. Satterfield